



Reissue Appln. 09/604,285  
U.S. Appln. of GATTO et al.  
Attorney Docket No.: EP-7041-Div

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EPW

UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	
Vincent J. GATTO et al	)	
	)	
Application No.: 09/604,285	)	Group Art Unit: 1714
	)	
Filed: June 26, 2000	)	Examiner: Cephia Toomer
	)	
For: Lubricant Containing Molybdenum	)	Confirmation No. 5162
Compound and Secondary	)	
Diarylamine	)	Attny. Dkt. 7391/71214

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class U.S. Mail on **February 7, 2005** with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Beth Earnest

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits this communication regarding the Examiner's Reasons for Allowance.

Applicant acknowledges with appreciation the Examiner's courtesies and dedication that have been demonstrated while this reissue application has been under examination.

Applicant acknowledges that the Examiner has stated that applicant has shown that unexpected results are obtained when the claimed molybdenum compound and diarylamine are used in a lubricating oil composition in a ratio of about 0.02 to 0.6 parts by weight of the molybdenum compound to the diarylamine compound. Applicant notes that the relative amount of molybdenum or the relative amount of the diarylamine compound in certain of the independent claims are defined with respect to each other by a ratio based on a numerically recited range of the molybdenum or on a numerically recited range of the diarylamine compound, as may be seen, for instance, from independent claims 22, 23, 64, 76 and 81. For

instance, independent claim 64 includes a range of about 104 ppm to 468 ppm of molybdenum, and an amount of diarylamine compound that is equal to or greater than 750 ppm, with the amount of diarylamine compound being determined by the recited ratio to the molybdenum.

Applicant notes that both ranges of molybdenum to diarylamine compound in respective ppm ranges are affirmatively recited in another independent claim. For instance, independent claim 52 recites a range of molybdenum of 100 ppm to 450 ppm and a range of diarylamine compound of from 750 to 5000 ppm. It is in regard to such a claim, that the Examiner's comment that the molybdenum is present in an amount of from 100 to 450 ppm and the diarylamine is present in an amount of about 750 to about 5000 ppm may be considered as a statement of the claimed ranges.

It is respectfully noted, however, that the ppm ranges in the independent claims are not necessarily limited to the numerical ranges recited in the Examiner's reasons for allowance. For instance, as noted above, independent claim 64 includes a range of about 104 ppm to 468 ppm of the molybdenum compound, and an amount of diarylamine compound that is equal to or greater than 750 ppm.

Applicant respectfully submits this paper and requests its entry in the record herein.

Fees

It is believed that there are no fees associated with this filing. However, in the event the calculations are incorrect, the Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment associated with this communication to Deposit Account No. 05-1372.

Respectfully submitted,



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Date: **February 7, 2005**